

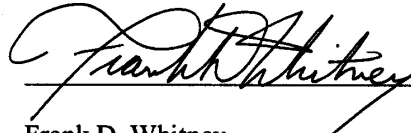
After a careful review of the record, the Court finds that the magistrate judge's findings and recommendations are neither clearly erroneous nor inconsistent with governing law. Thus, the Court

hereby accepts the M&R of Magistrate Judge Horn and adopts it as the final decision of this Court for all purposes relating to this case.

IT IS, THEREFORE, ORDERED that Defendant's Motion to Dismiss (Doc. No. 3) be GRANTED in part as to Plaintiff's Title VII racial discrimination claim and DENIED in all other respects.

IT IS SO ORDERED.

Signed: July 22, 2008



Frank D. Whitney
United States District Judge

